

Jonathan Turley (*Pro Hac*)
2000 H St., N.W.
Washington, D.C. 20052
(202) 994-7001
jturley@law.gwu.edu

Adam Alba, 13128
2167 N. Main St.
Centerville, UT 84014
(801) 792-8785
adam.alba@gmail.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

KODY BROWN, MERI BROWN,
JANELLE BROWN, CHRISTINE BROWN,
ROBYN SULLIVAN,

Plaintiffs,

v.

GARY R. HERBERT, in his official capacity
as Governor of Utah; MARK SHURTLEFF, in
his official capacity as Attorney General of
Utah; JEFFREY R. BUHMAN, in his official
capacity as County Attorney for Utah County,

Defendants.

DECLARATION OF MERI BROWN

Judge Waddoups

Civil No. 2:11-cv-00652-CW

DECLARATION OF MERI BROWN

I, Meri Brown, do declare:

1. I am a plaintiff in the above captioned action and a consenting adult in a plural family composed of myself, Kody Brown, Janelle Brown, Christine Brown, Robyn Sullivan, and our respective children.

2. In our plural family, only one couple, Kody Brown and myself, holds an official marriage license.
3. I was a resident of Lehi, Utah, where I was civilly married to Kody Brown, who is spiritually married to Plaintiffs Janelle Brown, Christine Brown, and Robyn Sullivan.
4. My family are members of the Apostolic United Brethren Church, a fundamentalist faith and plural marriage is central to our faith.
5. In January 2011, I fled Utah for fear that Utah law enforcement officials would break up my family and prosecute the adults under the state's criminal bigamy statute for maintaining a plural family.
6. We also left the state to try to protect the family against the economic and reputational harm caused by the ongoing criminal investigation and the public comments by state prosecutors labeling us criminals.
7. My family had lived for years in contact with state officials, who were aware that we were a plural family.
8. The day after the first episode aired of *Sister Wives* on TLC, Lehi City Police Department publicly announced that our family was under investigation under the bigamy statute and were subject to prosecution for our plural family structure.
9. What followed were public statements from prosecutors reaffirming that the state viewed my family as felons and that we were committing criminal acts by living as a plural family.
10. These statements and the very public investigation have had an immediate, continuing, and negative impact on my family and myself.
11. Our children have been asked whether their parents are criminals and would go to jail.
12. We have had to prepare for the possibility that the adults could be taken from our family – leaving our children without support or parental guidance.
13. Efforts of some of the adults to find employment was hampered by our being labeled as felons and guilty of open and admitted criminal acts.
14. In my case, I was fired due to criminal investigation and being labeled a felon due to our family structure
15. I had worked for Youth Care of Utah for 1 year.

16. I was consistently given high performance ratings, pay raises, and a promotion during my short tenure there. Even after I disclosed my polygamist lifestyle I was still treated with respect and allowed to continue to pick up other shifts, including those in which I acted in the capacity of Shift Supervisor
17. When we decided to participate in the *Sister Wives* program, I informed my supervisors and the company management.
18. There was no objection to the show and I received positive feedback from my co-workers.
19. I was specifically told by my supervisor that everything was fine and that the show and my lifestyle would not be a problem.
20. I was put on administrative leave at the beginning of the next regular scheduled day of work after statement from the prosecutor labeling us as criminals. Please double check this. I am not sure if there were prosecutors at that point – just the announcement of the investigation by the Lehi City Police Department.
21. In October 3, 2010, I came to work on a Sunday only to find high-ranking management present – something I had never seen.
22. I was pulled into an office and told that I would be placed on administrative leave until corporate management decided how to handle “the situation.”
23. I was called into the office on Tuesday, October 5., I was told they had to called me in to tell they had decided to terminate my employment. I was not working due to administrative leave.
24. I objected because I had been open about my polygamous family structure and the show, but the management made clear that it was not my polygamous family that motivated my termination.”
25. Rather, the management told me it was the fact that I was under criminal investigation and the statements in the media that the state considered me (and my family) to be committing felonies under state law. Actually they were specifically worried about police showing up to the work place.
26. My employer offered me a “severance” pay with the condition that if I accepted it I would never speak of the circumstances regarding my separation.
27. I refused to accept the money in exchange for my silence.
28. I had always enjoyed my work at Youth Care of Utah and I was always treated fairly until the day of my suspension and later termination. Even then, I was still treated kindly in the course of my termination.

29. I have not been able to secure another position for myself.
30. Other members of the family also had the criminal investigation (and public statements of the prosecutors) raised with them at their work
31. The threat of prosecution and public statements had a profound impact on the family's health and lifestyle.
32. Unable to find work and facing continued statements from prosecutors of their ongoing investigation, my family moved to Nevada in the hopes of insulating the family from these pressures and the harm caused by the threat of prosecution.
33. Yet even after the move to Nevada, prosecutors have continued to stress that their investigation of our family is ongoing and that they reserve the right to prosecute the family.
34. We are continually concerned about what we can say or how we practice our faith without triggering a prosecution.
35. We have difficulty practicing our faith separated from our religious community in Utah, but fear that our association with friends and family could bring equally harsh consequences for them in Utah.
36. We have curtailed our participation in some religious activities out of fear of being arrested or implicating our friends or family, including not attending observances that we normally would have participated in before the investigation.
37. Traveling back and forth to Utah has cost my family significant money for gas and time – on top of the many thousands of dollars spent to relocate to Nevada.
38. We continue to live with the stigma being publicly identified as criminals by the prosecutors and a law that defines our personal relationships as a felony.
39. My child continues to go to school and live with comments about her family being defined as criminals by state law – and parents identified as presumptive felons.
40. I lost my job and live with the stigma of this criminal provision and the coercive pressures of the investigation simply because my family choses to live in plural relationship for religious reasons.

I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on this 17th day of October 2011 in Las Vegas, Nevada.

A handwritten signature in black ink, reading "Meri Brown", with a long horizontal flourish extending to the right.

Meri Brown
8704 Blazing Saddle Ave
Las Vegas, NV 89129